

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 2025 – HB 2440

April 2, 2018

SUMMARY OF ORIGINAL BILL: Authorizes a partial fill of a prescription for an opioid. Requires a person who presents a prescription for a partial fill pursuant to this section to be required to pay the required cost sharing or copayment as required by the person's health insurance coverage for the partial fill of a prescription. The proposed legislation is effective January 1, 2019.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (016328): Deletes and rewrites all language after the enacting clause such that the only substantive changes are: (1) removing the requirement for a person who presents a prescription for a partial fill to be required to pay the required cost sharing or copayment as required by the person's health insurance coverage for the partial fill of a prescription; and (2) changing the effective date from January 1, 2019, to upon becoming law.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Based on information provided by the Department of Finance and Administration Division of Benefits Administration (Benefits Administration), Benefits Administration provides pharmaceutical benefits to the state group insurance program members through a carved out pharmacy benefits manager (PBM). The PBM can comply with the proposed legislation using their current system configuration.
- For this analysis, it is assumed the PBM is able to enforce a full copay on the initial fill and a dispensing fee on every fill.
- It is assumed the Department of Finance and Administration, the Division of Benefits Administration, can accommodate any increase in dispensing fees within existing resources without an increased appropriation or reduced reversion.

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- Based on information provided by the Division of TennCare (Division), TennCare allows partial fills of prescriptions in certain circumstances. It is assumed for the proposed legislation, TennCare would not pay an additional dispensing fee for the partial fills; therefore, any fiscal impact is estimated to be not significant.
- Based on information provided by the Department of Commerce and Insurance, the proposed legislation will not have a significant impact on the procedures or processes of the department; therefore, any fiscal impact is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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